

Serial No.: 09/482,653

at least a first sterile chamber having a first top portion, a first bottom portion and a first set of walls;

a second sterile chamber adjacent said first sterile chamber and having a second top portion adjacent said first top portion, a second bottom portion and a second set of walls;

a bridge connecting said first top portion of the first chamber and said second top portion of the second chamber, such that a liquid can be transferred from the first chamber to the second chamber while the container is positioned at a predetermined angle, and

means for maintaining sterility of said first and second chambers during addition or removal of liquids to said chambers.

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REMARKS

A supplemental declaration correcting the noted errors will be submitted.

The thorough action is appreciated, and the examiner is requested to reconsider the rejections in light of the above amendments and the following remarks.

Claim 22 has been rejected as unpatentable over the Raccuglia patent. It is respectfully submitted that the system taught by Raccuglia is quite different and far more complicated than that disclosed and claimed by applicant. A significant difference lies in the arrangement of the two chambers. In the Raccuglia system, the two chambers are arranged with one on top of the other, whereas in the system of the invention, the chambers are side by side. The arrangement of the Raccuglia system means that the fluids can be transferred only by the use of a valve system, which complicates the structure. The system of the invention, however, transfers fluids as a function of the orientation of the container, which makes the container itself much simpler and easier to manufacture. Nothing in any of the references would have led one of ordinary skill in the art to modify the system of Raccuglia to result in the invention recited in claim 22.

Claim 25 has been rejected over the Raccuglia, Li, McFarland, Crippa, and Onishi references. Claim 25 has been amended to add recitation of means for maintaining sterility of

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the chambers during addition or removal of liquid to the chambers as well as to define the side-by-side arrangement of the chambers. None of the references of record shows or suggests this structure.

*clm 33
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amended*

The closest reference appears to be the Crippa patent, but this does not show or suggest a container that is capable of maintaining sterility of the chambers during addition or removal of liquids. Claim 33 has been rejected as unpatentable over McFarland, Crippa, and Onishi. These references, either alone or in combination, do not suggest the concept of side-by-side chambers that communicate at their tops and that are always sterile. Thus, even if the Crippa device can be said to be sterile in the beginning, it loses its sterility as soon as the lid is opened to add fluids. In contrast, the device of the invention is designed to maintain sterility even during use.

The indication of allowable subject matter is noted with appreciation.

Accordingly, it is submitted that this application is in condition for allowance, and an early indication thereof is respectfully requested. The examiner is invited to contact the undersigned if any matter remains outstanding.

All necessary extensions of time are requested. Please charge any necessary fees and credit any excess to deposit account 50-1088.

Respectfully Submitted,
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Art Unit: 1723

Wells, et al.

Serial No.: 09/482,653

Filing Date: January 13, 2000

For: Automatic Multiple-Decanting Centrifuge

MARKED UP CLAIMS

22. (Amended) A system for treating physiological products, comprising:

a centrifuge;

a container having at least a first chamber and [a] an adjacent second chamber, wherein each of the first and second chambers has a top portion, a bottom portion and a set of walls, wherein the top portions of the first chamber and second chamber are adjacent each other and connected by a bridge [for transferring] that transfers fluid therebetween when said container is in a predetermined orientation; and

a holder assembly attached to the centrifuge and effective to removably receive the container and [position] orient the container in [one or more] said predetermined [positions] orientation.

25 (Amended) A container comprising:

at least a first sterile chamber having a first top portion, a first bottom portion and a first set of walls;

a second sterile chamber adjacent said first sterile chamber and having a second top portion adjacent said first top portion, a second bottom portion and a second set of walls; [and]

a bridge connecting [the] said first top portion of the first chamber and [the] said second top portion of the second chamber, such that a [substance] liquid can be transferred from the first chamber to the second chamber

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while the container is positioned at a predetermined angle,
and

means for maintaining sterility of said first and
second chambers during addition or removal of liquids
to said chambers.